IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application. No: 10/053,521	§
Filed: January 18, 2002	§ Atty. Dkt. No: 5150-42901

Inventor(s):
   Jeffrey Kodosky and
   Jack MacCrisken
	§
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Title: Simulation, Measurement
    and/or Control System
    and Method with
    Coordinated Timing
	§
	 §
	 §
	 §
	 §

Examiner: Pierre Louis, Andre	§ §
Group/Art Unit: 2123	§

REPLY BRIEF

Box: Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

     Further to the Appeal Brief filed February 20, 2007 and the Examiner's Answer mailed June 19, 2007, Appellant presents this Reply Brief. Appellant respectfully requests that this reply brief be considered by the Board of Patent Appeals and Interferences.

REMARKS

Appellant re-asserts the argument that Blake and Bilger, taken either singly or in combination, do not teach the limitations recited in claim 2 of:

> wherein the first program is operable to:
> selectively route the request for input, depending on whether the system is in simulation mode, wherein selectively routing the request for input comprises:
> routing the request for input to the simulation program if the system is in simulation mode;
> routing the request for input to the input device if the system is not in simulation mode.

In claim 2, the request for input is <u>selectively</u> routed to either the simulation program or the input device, depending on whether the system is in simulation mode. As discussed in the Appeal Brief, the Examiner has equated the first program with Blake's Real-Time Logger 2302. However, Blake does not teach that the Real-Time Logger 2302 routes a service request (which the Examiner has equated with the request for input) to anything other than the simulator program 2302. More particularly, there is no teaching of the Real-Time Logger 2302 ever <u>selectively</u> routing a request to either the simulator program 2302 or to an input device, depending upon some condition.

Appellant respectfully submits that Blake, taken either singly or in combination with Bilger, does not teach <u>selectively</u> routing a request for input to either a simulation program or to an input device depending upon *any* condition. More particularly, the references, taken either singly or in combination, do not teach selectively routing a request for input to either a simulation program or to an input device depending upon whether the system is in simulation mode.

Appellant also re-asserts that argument that Blake does not teach a first program operable to receive a request for input from a measurement/control program, as recited in claim 2. In response to this argument, the Examiner states on p. 9 of the Examiner's Answer that:

> "The Examiner respectfully disagrees and notes that the simulator program does the request for input from the Real-Time logger program, which the Examiner interprets to be a substantial equivalence the measurement/control program".

However, Appellant notes that claim 2 recites three different programs: 1) the first program; 2) the measurement/control program; and 3) the simulation program. As discussed in the Appeal Brief with reference to claim 2, the Examiner has interpreted Blake's Real-Time Logger 2302 as the first program and has interpreted Blake's Simulator 2302 with the simulation program. As apparent from the quotation above, however, the Examiner also interprets Blake's Real-Time Logger 2302 as the measurement/control program. Thus, the Examiner has interpreted Blake's Real-Time Logger 2302 as both the first program and the measurement/control program recited in claim 2.

Appellant respectfully submits that Blake does not teach three different programs which equate to the first program, the measurement/control program, and the simulation program, respectively, as recited in claim 2. Appellant further submits that Blake's Real-Time Logger 2302 does not perform the functions of both the first program and the measurement/control program as recited in claim 2.

Appellant also re-asserts the argument that there is no motivation to combine Blake and Bilger and notes that the Examiner's Answer does not address this argument.

VIII. CONCLUSION

For the foregoing reasons, it is submitted that the Examiner's rejection of claims 2-18 was erroneous, and reversal of the Examiner's decision is respectfully requested.

The Commissioner is authorized to charge any fees that may be due to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5150-42901/JCH.

Respectfully submitted,

/Jeffrey C. Hood/
Jeffrey C. Hood, Reg. #35198
ATTORNEY FOR APPLICANT(S)

Meyertons Hood Kivlin Kowert & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800

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